



Department
for Environment
Food & Rural Affairs

www.gov.uk/defra

Consultation on the implementation of CAP Reform in England: Government decisions on Greening

June 2014

© Crown copyright 2014

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/ or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk

This document/publication is also available on our website at:

<https://www.gov.uk/government/consultations/common-agricultural-policy-reform-implementation-in-england>

Any enquiries regarding this document/publication should be sent to us at:

Capconsultation@defra.gsi.gov.uk

or

CAP Consultation, Area 1D, Defra, Nobel House, 1 Smith Square, SW1P 3JR

Implementation of the Common Agricultural Policy (CAP) basic payment scheme in England – further decisions on greening.

1. On 19 December 2013 the Government published its response to the consultation on implementation of the Common Agricultural Policy (CAP) in England which ran from 31 October to 28 November 2013. Responses on additional issues were published on 26 February and 24 April 2014. These responses are available at www.gov.uk/cap-reform.
2. In the December 2013 announcement the Government said that it did not intend to introduce additional 'equivalent' Greening measures in the form of a national Certification Scheme, but would instead implement the basic measures contained in the Direct Payments Regulation. Further decisions would follow on some of the detailed areas, taking account of ongoing discussions with stakeholders.
3. The Government is now announcing a series of further decisions on Greening as follows:
 - The Ecological Focus Area (EFA) options that will be open to English farmers in 2015 to meet their 5% EFA requirement will be the following: Buffer Strips; Land Lying Fallow; Areas with Catch Crops or Green Cover; Areas with Nitrogen-fixing Crops; and Hedges.
 - Within the Nitrogen-fixing Crops option, we will allow the widest possible range of crop types and will not be applying any restrictions on inputs (pesticides and fertilisers) in these areas.
 - All the possible weightings contained in the EU Regulations will be applied in respect of the EFA options.
 - We shall be using the available coefficients to help calculate the area taken up by the land uses in the various EFA options.
 - We shall not be designating any additional areas of environmentally sensitive grassland in which a no-plough rule shall apply.
 - Only a small proportion of Entry Level Stewardship (ELS) agreements will have to have their payments adjusted to avoid Double Funding.
4. The decision to include hedges amongst the list of available EFA options has been a very difficult one to take. The Government has had to balance conflicting pressures to make greening compliance as simple as we can for farmers, to only commit to those options which we believe are deliverable and to optimise the environmental benefits of greening. These have been difficult pressures to reconcile.

5. Allowing hedges has substantial implications in terms of administrative burden, given the need to validate all claims and ultimately to map digitally every hedge in the country. This will have implications on the timetable for processing claims from those claimants who wish to count hedges towards their EFA requirement. The Rural Payments Agency will issue further advice to claimants on this aspect.
6. Ministers have said that it is their intention in future years to add to the list of EFA options open to farmers, as and when this becomes possible.
7. No additional restrictions will be applied on the use of areas used for growing a Nitrogen-fixing Crop in meeting the EFA requirement in 2015. A list of crops that can be used to meet this requirement will be published and the intention is for this to be as broad as possible. The list of qualifying crops may be changed in future years and restrictions may be introduced if the environmental benefits of allowing this option are not apparent.
8. Further guidance will also be issued on the other EFA options as soon as is possible.
9. Instead of legislating through a Certification Scheme for Greening to bring additional environmental benefit, the Government believes that there should be an important role for the industry-led Campaign for the Farmed Environment (CFE) to play in encouraging farmers to enhance the environmental benefits of Greening through voluntary measures. The Government will be looking to the farming industry to work together to achieve environmental benefits in this way, and in particular to achieve benefits for pollinators. The effectiveness of CFE in meeting these objectives will be kept under review.
10. Taking up the possibility to use weightings and conversion factors in the calculation of the areas taken up by the various land uses permissible to meet the EFA requirement will considerably simplify the process for claimants and administrators alike.
11. The Government's decision not to use Greening as a basis on which to designate environmentally sensitive grasslands where a 'no-plough rule' would apply came following consultation responses which were unclear as to the value of such legislation when set alongside existing grassland protection.